

Message

From: Levo, Brian [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=25404739F3BD46DC95B0DE1CFAD58BB4-LEVO, BRIAN M.]
Sent: 1/8/2022 8:52:25 PM
To: Bahr, Gary (AGR) [GBahr@agr.wa.gov]
CC: McLain, Kelly (AGR) [KAardal@agr.wa.gov]
Subject: RE: Lower Yakima Valley GWMA

Thanks Gary. You caught a mistake I had made. I meant the 25th and have changed it below.

I will wait for Kelly's response before choosing a final date/time.

Brian Levo
Enforcement Coordinator
Enforcement & Compliance Assurance Division
U.S. Environmental Protection Agency - Region 10
1200 6th Avenue, Suite 155, MS 20-C04, Seattle, WA 98101
Phone: (206) 553-1816, Fax: (206) 553-4743

From: Bahr, Gary (AGR) <GBahr@agr.wa.gov>
Sent: Friday, January 7, 2022 3:45 PM
To: Levo, Brian <Levo.Brian@epa.gov>
Cc: McLain, Kelly (AGR) <KAardal@agr.wa.gov>
Subject: RE: Lower Yakima Valley GWMA

Brian,

Thanks for your email and meeting request.

I'm available during these times:

- Jan 21st, anytime between 9am-12pm or 2pm-4pm - I am available during these times
- Jan. 24th, 3pm – I am available during this time
- Jan. 25th, 1pm or 2pm – ~~This is a Sunday~~
- Jan. 31st, 1pm, 2pm, or 3pm. – I am available at 2 or 3 pm

Thanks,

Gary

Gary Bahr
SFIREG Chair
Science Liaison
Office of Director
Washington State Department of Agriculture
Olympia, Washington
 Ex. 6 Personal Privacy (PP)
gbahr@agr.wa.gov

From: Levo, Brian <Levo.Brian@epa.gov>

Sent: Tuesday, January 4, 2022 4:13 PM

To: Bahr, Gary (AGR) <GBahr@agr.wa.gov>; McLain, Kelly (AGR) <KAardal@agr.wa.gov>

Subject: RE: Lower Yakima Valley GWMA

Hi Gary and Kelly,

Jeff KenKnight has asked me to help facilitate scheduling on EPA's end. Sorry for the delay in not getting scheduled before the holidays. I hope you both had a relaxing break!

We're envisioning a 1 hour MS TEAMS call and having staff from our Enforcement & Compliance Assurance Division, Water Division, and our Office of Regional Counsel participate, as well as the Regional Ag Advisor.

Some start times for consideration that are currently available for EPA folks:

- Jan 21st, anytime between 9am-12pm or 2pm-4pm
- Jan. 24th, 3pm
- Jan. 25th, 1pm or 2pm
- Jan. 31st, 1pm, 2pm, or 3pm.

Please let me know if any of these dates/times work for WSDA, or if we should explore other options.

Thank you,

Brian Levo

Enforcement Coordinator

Enforcement & Compliance Assurance Division

U.S. Environmental Protection Agency - Region 10

1200 6th Avenue, Suite 155, MS 20-C04, Seattle, WA 98101

Phone: (206) 553-1816, Fax: (206) 553-4743

From: Bahr, Gary (AGR) <GBahr@agr.wa.gov>

Sent: Thursday, December 09, 2021 1:22 PM

To: Sullivan, Chery (AGR) <CSullivan@agr.wa.gov>; Kenknight, Jeff <Kenknight.Jeff@epa.gov>

Cc: Flege, Kyrre (AGR) <KFlege@agr.wa.gov>; Beale, Perry (AGR) <PBeale@agr.wa.gov>; McLain, Kelly (AGR) <KAardal@agr.wa.gov>

Subject: RE: Lower Yakima Valley GWMA

Chery and Jeff,

Thank you for your email. Jeff, you could work through our WSDA Policy Office through Kelly McLain and myself to schedule any meetings.

I was appointed as the WSDA representative for the Lower Yakima GWAC in December 2015 I believe. I currently serve on the South Yakima GWMA Implementation Committee to implement the approved GWMA Plan. The GWMA documents can be found here: <https://www.yakimacounty.us/541/Groundwater-Management>. I led our WSDA NRAS team with the GWAC agency partners to produce our report to Yakima County entitled: *Estimated Nitrogen Available for Transport in the Lower Yakima Valley Groundwater Management Area* <https://cms.agr.wa.gov/WSDAKentico/Imported/103-691YakimaGWMANitrogenTransportReport.pdf?/103-691YakimaGWMANitrogenTransportReport.pdf> which can be found on the Yakima County GWMA website and also the WSDA NRAS Publications Page: <https://agr.wa.gov/forms-and-publications/publications/natural-resources-assessment>.

Thanks,

Gary

Gary Bahr
SFIREG Chair
Science Liaison
Office of Director
Washington State Department of Agriculture
Olympia, Washington

gbahr@agr.wa.gov

From: Sullivan, Chery (AGR) <CSullivan@agr.wa.gov>
Sent: Thursday, December 9, 2021 12:20 PM
To: Kenknight, Jeff <Kenknight.Jeff@epa.gov>
Cc: Flege, Kyrre (AGR) <KFlege@agr.wa.gov>; Bahr, Gary (AGR) <GBahr@agr.wa.gov>; Beale, Perry (AGR) <PBeale@agr.wa.gov>; McLain, Kelly (AGR) <KAardal@agr.wa.gov>
Subject: RE: Lower Yakima Valley GWMA

Hello Jeff,

Thank you for the heads-up phone call and the email below. We can easily supply you with most of the information you request below regarding licensed dairy and permitted CAFOs. We do not have copies of corresponding nutrient management plans as those are held by the producer and reviewed onsite during inspections. Going forward, your best contact for the Dairy Nutrient Management Program is Kyrre Flege, 360.746.1249 and cc'd above; please let Kyrre know the best way to get the dairy information to you.

I've added a couple more WSDA folks to the cc list above as they may be able to provide additional information about GWMA activities and progress and are potential candidates for the initial meeting you'd like to schedule in January 2022:

- Perry Beal is the Natural Resources Assessment Section (NRAS) manager; his team conducted much of research and authored the [Yakima GWMA Nitrogen Transport Report](#)
- Gary Bahr is the agency's science policy advisor to the Director, and has represented WSDA on the GWMA since 2017 (is that right Gary?), previously NRAS manager.
- Kelly McLain is the policy advisor to the Director, previously with NRAS

As mentioned on the phone, I will be starting a new position with Ecology on January 3, 2022. I'm in the office through December 17, 2021; Kyrre Flege will be acting program manager starting December 20, 2021.

Best,
Chery

Chery Sullivan | Program Manager
Dairy Nutrient Management Program
Washington State Department of Agriculture
csullivan@agr.wa.gov | O: 360.902.1928 | M: 

From: Kenknight, Jeff <Kenknight.Jeff@epa.gov>
Sent: Thursday, December 9, 2021 11:44 AM
To: Sullivan, Chery (AGR) <CSullivan@agr.wa.gov>

Cc: Flege, Kyrre (AGR) <KFlege@agr.wa.gov>

Subject: Lower Yakima Valley GWMA

External Email

Chery – I am glad I was able to connect with you on the phone today. As I indicated, on October 26, 2021, the Center for Food Safety, Friends of Toppenish Creek, and Food and Water Watch (Petitioners) submitted a Petition (attached) to the EPA Administrator and Acting Region 10 Regional Administrator to exercise the Agency's emergency powers under Section 1431 of the Safe Drinking Water Act to address groundwater nitrate contamination that presents a risk to the health of residents of the Lower Yakima Valley (LYV). As we discussed, EPA requests the WSDA's cooperation in providing additional information related to nitrate contamination in the LYV and the actions that WSDA is, or will be taking to protect public health. For example, EPA seeks information related to the number of licensed dairies in the LYV and pertinent information regarding each dairy operation (e.g., size, number of cattle, acreage), including applicable nutrient management plans.

I would like to set up an initial meeting with WSDA in January, 2022. Please let me know if you would like to designate a staff person to assist in the scheduling of the meeting.

I look forward to communicating with you more on this issue.

Jeff KenKnight

Chief, Water Enforcement and Field Branch
Enforcement and Compliance Assurance Division
EPA Region 10
1200 Sixth Avenue, Suite 155, 20-C04
Seattle, WA 98101
(206) 553-6641